

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOSE ESCOBEDO,

Plaintiff,

v.

NORTHERN VILLAGE ASSOCIATES, LP, et
al.,

Defendants.

Case No. 1:23-cv-01364-NODJ-SAB

ORDER DIRECTING CLERK OF COURT TO
CLOSE CASE AND ADJUST THE DOCKET
TO REFLECT VOLUNTARY DISMISSAL
PURSUANT TO RULE 41(a) OF THE
FEDERAL RULES OF CIVIL PROCEDURE

(ECF No. 26)

On February 26, 2024, Plaintiff filed a notice of voluntary dismissal of the entire action. (ECF No. 26.) Under Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, “a plaintiff has an absolute right to voluntarily dismiss his action prior to service by the defendant of an answer or a motion for summary judgment.” Commercial Space Mgmt. Co., Inc. v. Boeing Co., Inc., 193 F.3d 1074, 1077 (9th Cir. 1999) (quoting Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997)).

In light of the notice of dismissal, this action has been terminated, Fed. R. Civ. P. 41(a)(1)(A)(i); Wilson v. City of San Jose, 111 F.3d at 692, and has been dismissed.

IT IS SO ORDERED.

Dated: February 27, 2024



UNITED STATES MAGISTRATE JUDGE